

**REMARKS**

Applicants have amended the Sequence Listing pursuant to a request from the Examiner to include sequences that are supported in the specification at pages 14-15. The specification has been amended at pages 14 and 15, specifically Table 1 and Table 2, to insert sequence identifiers. The Substitute Sequence Listing has been entered before the claims as pages 84 through 101. Additionally, Applicants have requested that originally filed claim pages be renumbered from 98 through 104 to 102 through 108.

Applicants respectfully request that the above amendments be entered before Issuance. If there are any remaining issues the Examiner wishes to discuss, he is encouraged to telephone Applicants' representative at the telephone number listed below.

***Filing Receipt***

Applicants submit concurrently herewith a copy of the Second Request for a Corrected Filing Receipt mailed April 1, 2002 along with the date stamped postcard indicating USPTO receipt. Applicants have not received the Corrected Filing Receipt and request that the Corrected Filing Receipt be returned to Applicants.

**CONCLUSION**

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 316082000121. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 18, 2005

Respectfully submitted,

By   
Debra J. Glaister

Registration No.: 33,888  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
(650) 813-5725



**COPY**

ATTORNEY DOCKET: 316082000121

SERIAL NO.: 09/194,164

FILING DATE: April 9, 1999

INVENTOR(S): Michael D. DAN

MAILING DATE: April 1, 2002

ATTY/Secy: CMC9/mxp4

TITLE: ANTIGEN BINDING FRAGMENTS THAT SPECIFICALLY DETECT CANCER CELLS,  
NUCLEOTIDES ENCODING THE FRAGMENTS, AND USE THEREOF FOR THE  
PROPHYLAXIS AND DETECTION OF CANCERS

Papers enclosed herewith:

1. Transmittal (1 page)
2. Second Request for a Corrected Filing Receipt (2 pages)
3. Copy of Marked-up Filing Receipt (1 page)
4. Copy of Response to Request for Corrected Filing Receipt (2 pages)

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certificate of Mailing by First Class Mail dated April 1, 2002

ATTORNEY DOCKET: 316082000121

SERIAL NO.: 09/194,164

FILING DATE: April 9, 1999

INVENTOR(S): Michael D. DAN

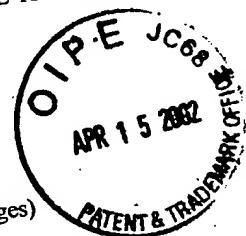
TITLE: ANTIGEN BINDING FRAGMENTS THAT SPECIFICALLY DETECT CANCER CELLS,  
NUCLEOTIDES ENCODING THE FRAGMENTS, AND USE THEREOF FOR THE  
PROPHYLAXIS AND DETECTION OF CANCERS

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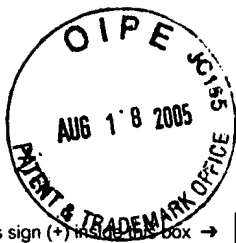


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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/194,164	
	Filing Date	April 9, 1999	
	First Named Inventor	Michael D. DAN	
	Group Art Unit	1642	
	Examiner Name	G. Bansal	
Total Number Of Pages In This Submission	6	Attorney Docket No.	316082000121

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Second Request for a Corrected Filing Receipt (2 pages) Copy of Marked Up Filing Receipt (1 page) Copy of Response to Request for Corrected Filing Receipt (2 pages) Return receipt postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

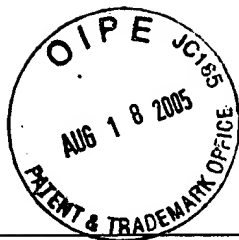
Firm or Individual Name	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018
Signature	
Date	April 1, 2002

### CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 1, 2002.

Martina Placid

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



PATENT  
Docket No. 316082000121  
Client Reference No. IN-013-IS-1A14

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on April 1, 2002.

*Martina Placid*  
Martina Placid

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Michael D. DAN et al.

Serial No.: 09/194,164

Filing Date: April 9, 1999

For: ANTIGEN BINDING FRAGMENTS  
THAT SPECIFICALLY DETECT  
CANCER CELLS, NUCLEOTIDES  
ENCODING THE FRAGMENTS, AND  
USE THEREOF FOR THE  
PROPHYLAXIS AND DETECTION OF  
CANCERS

Examiner: G. Bansal

Group Art Unit: 1642

**SECOND REQUEST FOR A CORRECTED FILING RECEIPT**

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Response to Request for Corrected Filing Receipt mailed March 13, 2002, please furnish the undersigned with a corrected Filing Receipt for the above-identified application. The corrections needed are as follows:

Continuing Data as Claimed by Applicant

After "THIS APPLN IS A 371 OF PCT/US97/08962 05/22/97"


Please insert --WHICH IS AN INTERNATIONAL APPLICATION OF 08/657,449  
05/22/96 ABN--

A copy of the marked-up Filing Receipt is attached.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determines that a fee is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 (referencing Docket No. 316082000121). However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: April 1, 2002

By:   
Cara M. Coburn  
Registration No. 46,631

for

Gladys H. Monroy  
Registration No. 32,430

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-4218  
Facsimile: (650) 494-0792

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/194,164	04/09/99	1633	\$1,952.00	316082000121	20	50	7

SUSAN K LEHNHARDT  
MORRISON & FOERSTER  
1290 AVENUE OF THE AMERICAS  
NEW YORK NY 10104-0012

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

MICHAEL D. DAN, SCARBOROUGH, CANADA; HOWARD A. KAPLAN,  
WINNIPEG, CANADA; PRADIP MAITI, WINNIPEG, CANADA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/US97/08962 05/22/97  
WHICH IS AN INTERNATIONAL APPLICATION OF 08/657,449 05/22/96 ABN

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 05/12/99

TITLE

ANTIGEN BINDING FRAGMENTS THAT SPECIFICALLY DETECT CANCER CELLS,  
NUCLEOTIDES ENCODING THE FRAGMENTS, AND USE THEREOF FOR THE  
PROPHYLAXIS AND DETECTION OF CANCERS

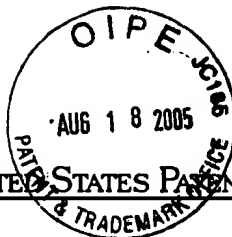
PRELIMINARY CLASS: 435

DATA ENTRY BY: ORDONEZ, MARTA

TEAM: 11 DATE: 05/13/99

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

(see reverse)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/194,164	<b>RECEIVED</b>	MICHAEL D. DAN	316082000121

MAR 18 2002

CONFIRMATION NO. 2875

MORRISON AND FOERSTER Morrison & Foerster, LLP  
755 PAGE MILL ROAD Palo Alto  
PALO ALTO, CA 94304-5711

**COPY**

Date Mailed: 03/13/2002

**RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT****Claims, Fees, Inventors and Continuity**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It includes the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined). The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The docket number allows a maximum of 25 characters.
- ☒ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without supplying the relationship (i.e. continuation, divisional...).
- ☐ Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**
- ☐ The person signing on behalf of the deceased inventor will be reflected on your Filing Receipt as the legal representative.
- ☐ Only one character per space is allowed. Therefore, punctuation which is usually placed above or below a letter, such as an umlaut (.), cannot be included on the Filing Receipt.

Any corrections that may need to be done to your Filing Receipt should be directed to:

DOCKE

MC



Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

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*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE